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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,974	02/12/2004	Pete Balsells	3007	7432
7590	10/05/2005		EXAMINER	
WALTER A. HACKLER, Ph.D. PATENT LAW OFFICE SUITE B 2372 S.E. BRISTOL STREET NEWPORT BEACH, CA 92660-0755			GARCIA, ERNESTO	
			ART UNIT	PAPER NUMBER
			3679	
			DATE MAILED: 10/05/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/777,974	BALSELLS, PETE	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ernesto Garcia	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 February 2004 and 05 August 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 8,9 and 16-24 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7 and 10-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Election of Species***

Applicant's election of claims 1-7 and 10-24, Figures, 6a, 7a, 10a, 11a, 27a, and 27b, in the reply filed on August 5, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Applicant has indicated that claims 16-24 are readable on the elected species. The examiner disagrees as the groove on the shaft of the elected species does not have the following features: a flat bottom, a V-bottom, a tapered V-bottom groove, a semi-tapered bottom (note: the bottom is entirely tapered thus not semi-tapered), a round bottom with a shoulder, an inverted V-bottom, a V-bottom with different angle subtending sides and the groove is not a dovetail groove.

Claims 8, 9, and 16-24 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on August 5, 2005.

***Drawings***

The drawings are objected to because the legends in Figures 16a-17b, 24, 26a-29c are not permitted. See 37 CFR 1.84(o). The use of lead lines is not proper between text and details referred to. See 37 CFR 1.84(q). Solid black shading areas are not permitted for cross-hatching. See 37 CFR 1.84(m). Therefore, the weld and the black shading areas on the coil are not permitted. Further, Figures 2a, 3a, 4a, 4d, 5a, 5d, 6a, 7a, 8a, 9a, 10a, 11a, 12g, 13g, 14g, 15g, 16a-30a, 31a, 32a, 33a, 34a, 35a, and 36a are not properly hatched since these figures show cross-sectional views. Further, the plane upon which sectional views 12e, 12f, 13e, 13f, 14e, 14f, 15e, 15f, 30d, and 31d, are taken should be indicated on the view from which the section is cut by a broken line. The ends of the broken line should be designated by Arabic or Roman numerals corresponding to the view number of the sectional view, and should have arrows to indicate the direction of sight. See 37 CFR 1.84(h)(3). Further, the hidden lines in Figures 24 and 25 that are drawn into the housing is misleading. Was the spring embedded in the housing and later moves out of the housing? See MPEP 608.02(e).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as "amended". If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The use of drawings on tables 1a-2h and 4 is improper. See 37 CFR 1.58(a).

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: "said groove includes an uneven bottom" recited in claim 7, line 2.

### ***Claim Objections***

Claims 10, 11, 14, and 15 are objected to because of the following informalities: regarding claims 10, 11, 14, and 15, the use of the term "spring coils" in line 3 should be loops or turns and there is only one coil which is the spring. Appropriate correction is required. For purposes of examining the instant invention, the examiner has assumed these corrections have been made.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7, and 10-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the limitation "sized and shaped" in line 2 makes unclear what size and what shape the groove has to be for controlling shaft mobility within the bore.

Regarding claims 4 and 5, how does the movement being axial further limit the structure of the holding connector.

Regarding claim 12, the limitation "sized and shaped" in line 2 makes unclear what size and what shape the groove has to be for controlling shaft mobility within the

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bore as well as causing force required to move the shaft in one axial direction to be greater than 300% of a force required to move the shaft in an opposite axial direction.

Regarding claims 10, 11, 14, and 15, the metes and bounds of the claim is unclear. The back angle and the front angle do not have two points of reference. Where are the angles taken from? Further, How does the inside diameter and the outside diameter determine the angles?

Regarding claims 2, 3, 6, 7, and 13, the claims depend from claim 1 and therefore are indefinite.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Balsells, 5,411,348 (see marked-up attachment).

Regarding claim 1, Balsells discloses, in Figure 7c, Balsells discloses a spring holding connector comprising a housing **104**, a shaft **102**, and a circular spring **110**.

The housing **104** has a bore **A2** therethrough. The shaft **102** is rotatably and slidably received in the bore **A2**. The shaft **102** has a circular groove **106**. The spring **110** is disposed in the groove **106**. The groove **106** is sized and shaped.

Regarding claims 2 and 6, the spring **110** is able to turn (turnable) in the groove **106**.

Regarding claim 3, the spring **110** is compressible in the groove **106**.

Regarding claims 4 and 5, movement of the shaft is axial.

Regarding claim 7, the groove **106** includes an uneven bottom. Applicant should note that the tapered bottom is uneven relative to the groove.

Regarding claim 13, the groove **106** has a tapered bottom **108**.

Regarding claims 10 and 14, the spring **110** is an axial spring having a back angle at an inside diameter of the loops of the spring **110** and a front angle on an outside diameter of the loops (See Figs. 19b, 20b, 21b).

Regarding claims 11 and 15, the spring is an axial spring having a back angle at an outside diameter of the loops of the spring **110** and a front angle on an outside

diameter of the loops. Applicant should note that depending in which direction one looks relative to the spring in the center of the spring. The back angle and the front angle reverse such that the back angle is the front angle and vice versa. Further, since circular springs have loops that cant, the angles will be present. (See Fig. 19b reversed in the attachment).

### ***Conclusion***

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Balsells, 4,906,109, 5,545,842, 4,678,210, and 5,082,390, show a similar spring holding connector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-272-7083. The examiner can normally be reached from 9:30-5:30. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.G.

September 23, 2005

Attachment: one marked-up page of Balsells, 5,411,348

*Daniel P Stodola*

DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

Balsells, 5,411,348

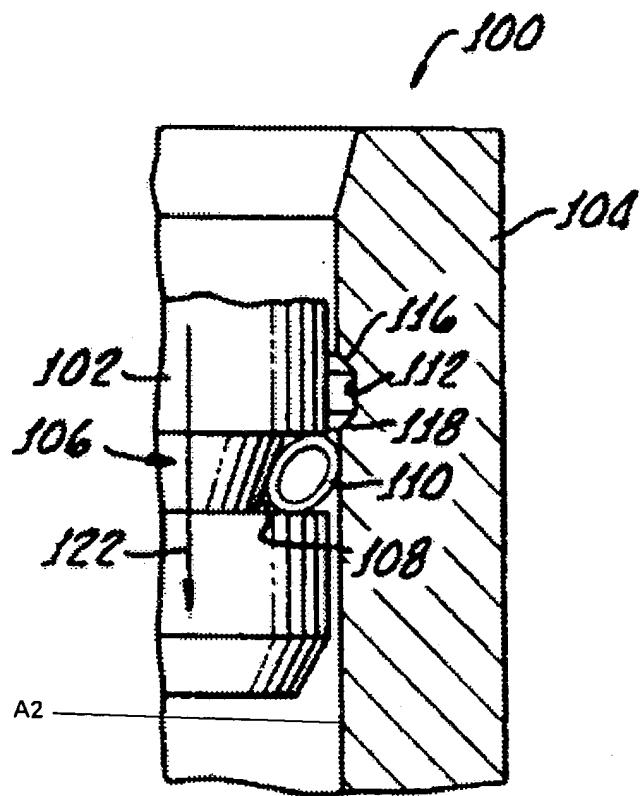


FIG. 7C.

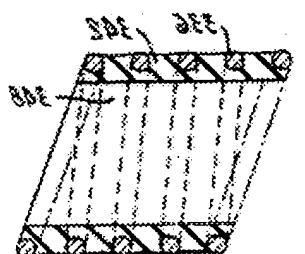


FIG. 7D.